

REMARKS

In accordance with the foregoing, the specification has been amended to improve form and provide improved correlation with the drawings and claims. Claims 1, 9, and 17-19 have been amended to clarify the subject matter of the claims, and claims 1-19 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §101:

Claim 17 is rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Specifically, the Examiner, citing paragraph [0039], states that claim 17 is drawn to a carrier wave. However, claim 17 is directed to a recording medium, and paragraph [0039] as previously presented does not list a carrier wave as an example of a recording medium. To clarify, while paragraph [0039] states that aspects of the present invention can be embodied in a carrier wave, paragraph [0039] does not list the carrier wave as an example of a recording medium, nor is a data signal or carrier wave included in the claims. Therefore, it is respectfully requested that this rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-4, 6, 9-12, 14, 17 and 19 are rejected under 35 U.S.C. §102(b) as being anticipated by Yamanaka et al. (U.S. Patent 5,983,247). The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 1, it is noted that claim 1 recites a browser graphic storage unit that "stores browser graphics of different aspect ratios" and "selects a browser graphic" corresponding to an extracted aspect ratio from among the stored plurality of browser graphics. In contrast, Yamanaka does not suggest a storing of a plurality of browser graphics, and a selection of a browser graphic corresponding to an aspect ratio from among the plurality of browser graphics. Rather, Yamanaka only suggests converting a graphic image to have a proper aspect ratio (column 2, lines 7-14). As stated by the Examiner on page 10 of the Office Action mailed September 6, 2007, Yamanaka also discloses a storing of the converted image before displaying the converted image (column 2, lines 19-21). However, Yamanaka does not teach a storing of a **plurality** of browser graphics of different aspect ratios, but only a storing of the one image with a desired aspect ratio. Accordingly, Yamanaka also does not teach a selection of the image with the desired aspect ratio from among a plurality of stored images, as Yamanaka does not disclose a plurality of stored images. That is, Yamanaka does not suggest a storing of a plurality of browser graphics, or an act of selecting a browser graphic

from among the plurality of browser graphics. Rather, Yamanaka discloses a storing of one browser graphic and a transmission or displaying of the one browser graphic. Therefore, the Applicants respectfully submit that Yamanaka fails to disclose, implicitly or explicitly, a storing of browser graphics with different aspect ratios and a selecting of a browser graphic from among the stored browser graphics, as recited in claim 1.

Regarding the rejection of claims 2-4 and 6, it is noted that these claims depend from claim 1 and are, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of independent claim 9, it is noted that claim 9 recites a “storing [of] browser graphics with different aspect ratios” and “selecting a browser graphic” corresponding to an extracted aspect ratio from among the stored plurality of browser graphics. In contrast, Yamanaka does not suggest a storing of a plurality of browser graphics, and a selection of a browser graphic corresponding to an aspect ratio from among the plurality of browser graphics. Rather, Yamanaka only suggests converting a graphic image to have a proper aspect ratio (column 2, lines 7-14). As stated by the Examiner on page 10 of the Office Action mailed September 6, 2007, Yamanaka also discloses a storing of the converted image before displaying the converted image (column 2, lines 19-21). However, Yamanaka does not teach a storing of **a plurality** of browser graphics of different aspect ratios, but only a storing of the one image with a desired aspect ratio. Accordingly, Yamanaka also does not teach a selection of the image with the desired aspect ratio from among a plurality of stored images, as Yamanaka does not disclose a plurality of stored images. That is, Yamanaka does not suggest a storing of a plurality of browser graphics, or an act of selecting a browser graphic from among the plurality of browser graphics. Rather, Yamanaka discloses a storing of one browser graphic and a transmission or displaying of the one browser graphic. Therefore, the Applicants respectfully submit that Yamanaka fails to disclose, implicitly or explicitly, a storing of browser graphics with different aspect ratios and a selecting of a browser graphic from among the stored browser graphics, as recited in claim 9.

Regarding the rejection of claims 10-12 and 14, it is noted that these claims depend from claim 9 and are, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of independent claim 17, it is noted that claim 17 recites a “storing [of] browser graphics with different aspect ratios” and “selecting a browser graphic” corresponding to an extracted aspect ratio from among the stored plurality of browser graphics. In contrast, Yamanaka does not suggest a storing of a plurality of browser graphics, and a selection of a browser graphic corresponding to an aspect ratio from among the plurality of

browser graphics. Rather, Yamanaka only suggests converting a graphic image to have a proper aspect ratio (column 2, lines 7-14). As stated by the Examiner on page 10 of the Office Action mailed September 6, 2007, Yamanaka also discloses a storing of the converted image before displaying the converted image (column 2, lines 19-21). However, Yamanaka does not teach a storing of **a plurality** of browser graphics of different aspect ratios, but only a storing of the one image with a desired aspect ratio. Accordingly, Yamanaka also does not teach a selection of the image with the desired aspect ratio from among a plurality of stored images, as Yamanaka does not disclose a plurality of stored images. That is, Yamanaka does not suggest a storing of a plurality of browser graphics, or an act of selecting a browser graphic from among the plurality of browser graphics. Rather, Yamanaka discloses a storing of one browser graphic and a transmission or displaying of the one browser graphic. Therefore, the Applicants respectfully submit that Yamanaka fails to disclose, implicitly or explicitly, a storing of browser graphics with different aspect ratios and a selecting of a browser graphic from among the stored browser graphics, as recited in claim 17.

Regarding the rejection of independent claim 19, it is noted that claim 19 recites "a selection of a browser graphic, corresponding to the browser graphic aspect ratio information, from among a plurality of browser graphics, having different aspect ratios." In contrast, Yamanaka does not suggest a plurality of browser graphics having different aspect ratios, and a selection of a browser graphic corresponding to an aspect ratio from among the plurality of browser graphics. Rather, Yamanaka only suggests converting a graphic image to have a proper aspect ratio (column 2, lines 7-14). As stated by the Examiner on page 10 of the Office Action mailed September 6, 2007, Yamanaka also discloses a storing of the converted image before displaying the converted image (column 2, lines 19-21). However, Yamanaka does not teach a storing of **a plurality** of browser graphics of different aspect ratios, but only a storing of the one image with a desired aspect ratio. Accordingly, Yamanaka also does not teach a selection of the image with the desired aspect ratio **from among a plurality** of images, as Yamanaka does not disclose a plurality of images. That is, Yamanaka does not suggest an act of selecting a browser graphic from among the plurality of browser graphics. Rather, Yamanaka discloses a storing of one browser graphic and a transmission or displaying of the one browser graphic. Therefore, the Applicants respectfully submit that Yamanaka fails to disclose, implicitly or explicitly, a selection of a browser graphic from among a plurality of browser graphics, as recited in claim 19.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 5 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamanaka et al. (U.S. Patent 5,983,247) in view of Graham (HTML Source Book). The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claim 5, it is noted that this claim depends from claim 4 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 13, it is noted that this claim depends from claim 12 and is, therefore, allowable for at least the reasons set forth above.

Claims 7, 15, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamanaka et al. (U.S. Patent 5,983,247) in view of Ellson et al. (U.S. Patent 5,455,902). The Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of claim 7, it is noted that this claim depends from claim 1 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 15, it is noted that this claim depends from claim 9 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of independent claim 18, it is noted that amended claim 18 now recites a selecting of a "browser graphic **from among a plurality of browser graphics having different display aspect ratios**, such that a display aspect ratio of the browser graphic corresponds to a display device type displaying the browser graphic." In contrast, neither Yamanaka nor Ellson suggests a plurality of browser graphics having different aspect ratios, and a selection of a browser graphic corresponding to an aspect ratio from among the plurality of browser graphics. Rather, Yamanaka only suggests converting a graphic image to have a proper aspect ratio (column 2, lines 7-14), and Ellson suggests converting a graphic image to have a selected aspect ratio (column 7, lines 51-64). As stated by the Examiner on page 10 of the Office Action mailed September 6, 2007, Yamanaka also discloses a storing of the converted image before displaying the converted image (column 2, lines 19-21). However, Yamanaka does not teach a storing of **a plurality** of browser graphics of different aspect ratios, but only a storing of the one image with a desired aspect ratio. Accordingly, Yamanaka also does not teach a selection of the image with the desired aspect ratio **from among a plurality** of images, as Yamanaka does not disclose a plurality of images. That is, Yamanaka does not suggest an act of selecting a browser graphic from among the plurality of browser graphics. Rather, Yamanaka discloses a storing of one browser graphic and a transmission or displaying

of the one browser graphic. Therefore, the Applicants respectfully submit that Yamanaka in view of Ellson fails to disclose, implicitly or explicitly, a selection of a browser graphic from among a plurality of browser graphics, as recited in claim 18.

Claims 8 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Yamanaka et al. (U.S. Patent 5,983,247) in view of Nolan et al. (U.S. Patent 6,049,316).

Regarding the rejection of claim 8, it is noted that this claim depends from claim 2 and is, therefore, allowable for at least the reasons set forth above.

Regarding the rejection of claim 16, it is noted that this claim depends from claim 10 and is, therefore, allowable for at least the reasons set forth above.

Based on the foregoing, this rejection is respectfully requested to be withdrawn.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 12/4/07

By: 

Michael D. Stein
Registration No. 37,240

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510